

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE PACKAGED ICE ANTITRUST  
LITIGATION

Case No. 08-MDL-01952

INDIRECT PURCHASER ACTION

Paul D. Borman  
United States District Judge

R. Steven Whalen  
United States Magistrate Judge

**ORDER DENYING DEFENDANTS' OBJECTIONS TO THE FILING OF THE INDIRECT PURCHASER PLAINTIFFS' CONSOLIDATED CLASS ACTION COMPLAINT**

On June 24, 2011, Arctic Glacier and Home City, in a joint motion (Dkt. No. 375), and Reddy Ice in a separate motion (Dkt. No. 376), moved to dismiss the Indirect Purchaser Plaintiffs' ("IP Plaintiffs") Consolidated Class Action Complaint (Dkt. No. 367, the "CCAC"). The matters are scheduled for oral argument on Friday, October 28, 2011. The Court concludes that oral argument is unnecessary on Defendants' argument that the Court should dismiss the CCAC because the IP Plaintiffs failed to seek leave of Court to file the CCAC. E.D. Mich. L.R. 7.1. The Court finds that the parties entered into a stipulation permitting IP Plaintiffs to file an amended complaint, reserving to the Defendants the right to object to any such complaint on any and all grounds. Thus, the Court will permit the filing of the CCAC and will hear argument on each of the remaining issues raised in the June 24, 2011 motions, including Defendants' argument that the IP Plaintiffs lack standing to add new named IP Plaintiffs to bring claims previously dismissed by the Court.

IT IS SO ORDERED.

  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated:

10-24-11